

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

Civil Action No. 1:22-CV-10889- RGS

v.

TRENDS INVESTMENTS INC.,
BRANDON ROSSETTI,
CLINTON GREYLING, LESLIE
GREYLING, ROGER BENDELAC, and
THOMAS CAPELLINI

Defendants.

MOTION TO DISQUALIFY DAVID SCHEFFLER AS COUNSEL FOR THE SECURITIES AND EXCHANGE COMMISSION

NOW COMES the Defendant, Roger Bendelac, Pro Se, and pursuant to relevant procedural and substantive laws, hereby petitions this Honorable Court to issue an order disqualifying David Scheffler from serving as counsel for the Securities and Exchange Commission (SEC) in the matter at hand. In support of this Motion, the Defendant respectfully presents the following:

- 1. Conflict of Interest and Necessity for Disqualification:** Mr. Scheffler's engagement in this case has given rise to conflicts of interest that threaten the trial's integrity. His simultaneous roles as an advocate for the SEC and as a potential pivotal witness—stemming from his direct interactions and allegations against the Defendant—constitute a clear conflict. Furthermore, Mr. Scheffler's direction of Mr. Clinton Greyling's testimony, under circumstances suggestive of manipulation for the case's benefit, underscores the necessity of his disqualification.
- 2. Manipulation Involving Mr. Clinton Greyling:** In collaboration with Geoffrey Nathan, Esq. (counsel for Mr. Greyling), Mr. Scheffler has orchestrated conditions leading to Mr. Greyling's invocation of the Fifth Amendment. This orchestration, especially in prepping Mr. Greyling as a witness against the Defendant, amounts to unethical conduct that

compromises the legal process's integrity, signifying a calculated manipulation of witness testimonies and the fabrication of evidence.

3. **Concerns Regarding Brandon Rossetti:** The inordinate pressure exerted by Mr. Scheffler on Brandon Rossetti—understood to be mentally susceptible and unacquainted with Mr. Bendelac—poses significant ethical and procedural dilemmas. Mr. Scheffler's refusal to probe or address queries regarding Mr. Rossetti's tragic suicide in June 2023, despite several requests for transparency, demonstrates a disregard for individual welfare and the justice system's impartiality.

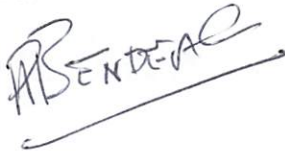
4. **Violation of Professional Conduct:** The aggregate conduct of Mr. Scheffler, including his anticipated role as a witness, manipulation of testimonies, and the ethical issues emerging from his treatment of case-involved individuals, breaches the American Bar Association's Model Rules of Professional Conduct, Rule 3.7. Such actions warrant his disqualification as the SEC's counsel in this case.

WHEREFORE, considering the conflicts of interest, ethical violations, and the critical imperative to ensure a fair trial, the Defendant earnestly requests that this Honorable Court disqualify David Scheffler from representing the SEC in this case. Should the Court find the facts and conflicts insufficient for disqualification, the Defendant, Roger Bendelac, proposes the following alternative orders:

1. That Mr. Scheffler retract any allegations suggesting that Mr. Bendelac provided untruthful or contradictory testimony;
2. That Mr. Clinton Greyling be precluded from testifying, given his refusal to provide deposition testimony to Bendelac, pleading the Fifth on all questions—a stance encouraged by his attorney, Mr. Nathan, and abetted by the SEC's refusal to address the breach of settlement by Mr. Greyling; and
3. That Mr. Scheffler disclose to the Court any concrete evidence of communications or interactions between Mr. Bendelac and Mr. Rossetti and elucidate all information the SEC possesses regarding assertions made on social media about Mr. Rossetti's suicide being a consequence of this case, around June 2023.

Dated this 21st day of March 2024.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "RBENDELAC", with a long horizontal line extending from the end of the signature.

Roger Bendelac Pro Se Defendant

575 Madison Avenue, Suite 1006 New York, NY 10021

Email: rbendelac@yahoo.com

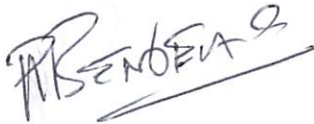
CERTIFICATE OF SERVICE

I, Roger Bendelac, hereby certify that on this 21st day of March, 2024, I have served a true and correct copy of the **MOTION TO DISQUALIFY DAVID SCHEFFLER AS COUNSEL FOR THE SECURITIES AND EXCHANGE COMMISSION** upon the following parties via email:

- Thomas J. McCabe, Esq., Attorney for Defendant Thomas Capellini
- Geoffrey Nathan, Esq., Attorney for Defendant Clinton Greyling
- David Scheffler, Esq., Counsel for the Securities and Exchange Commission
- Ms. Nita Klunder, Attorney for the Securities and Exchange Commission

Given the nature of the demand articulated within the motion, direct conferment with counsel for the Plaintiff prior to filing was not deemed appropriate. However, Counsel for the Plaintiff was pre-informed of the motion being filed to ensure awareness and the opportunity for a timely response.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink that reads "RBENDELAC" with a stylized flourish at the end.

Roger Bendelac
Pro Se Defendant
575 Madison Avenue, Suite 1006
New York, NY 10021
Email: rbendelac@yahoo.com

Dated: March 21, 2024